

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: Request for side street setback variance from 20 feet to 13.5 feet for a proposed fence in the PUD (Planned Unit Development District); (Jeffery Brown, applicant).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Ian Sikonia **EXT.** 7398

Agenda Date 10-24-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** Request for side street setback variance from 20 feet to 13.5 feet for a proposed fence in the PUD (Planned Unit Development District); (Jeffery Brown, applicant); or
2. **DENY** Request for side street setback variance from 20 feet to 13.5 feet for a proposed fence in the PUD (Planned Unit Development District); (Jeffery Brown, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Jeffrey Brown LOCATION: Sterling Lake Circle (3310) ZONING: PUD (Carillon)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> The applicant proposes to construct a fence that would encroach 7.5 feet into the minimum 20 foot side street setback; the aforementioned variance is thereby requested. There is no record of prior variances having been granted for this property.
STAFF FINDINGS	The applicant has failed to satisfy the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> No special circumstances applicable to the property or proposed fence have been demonstrated. The fence could be located to comply with setback requirements therefore the applicant would retain reasonable use of the property without the granting of the variance. The request would confer upon the applicant special privileges that would be denied to others in the Redbridge at Carillon neighborhood.

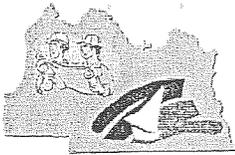
STAFF RECOMMENDATION	<p>Based on the proposed site plan and the representations of the applicant, staff recommends the Board of Adjustment deny the request. If the Board should decide to grant a variance, staff recommends the following conditions:</p> <ul style="list-style-type: none">• Any variance granted should apply only to the proposed fence as depicted on the attached site plan; and• Any additional conditions deemed appropriate by the Board, based on information presented at the public hearing.
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COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 35 TWP: 21 RNG: 31
 PROJ. #

DEVELOPMENT:		Redbridge at Carillon (Carillon Tract 104-B)			DEVELOPER:		Victoria Equities					
LOCATION:		NW side of Lockwood Boulevard – 59 lots										
FILE#:		BA:		SP:		BCC:		03-04-92				
P&Z:												
PB	47	PG	21-23	Lot		Bik		Parcel				
								DBA				
									Comm Dist			
DEVEL. ORDER #:		88-314			TAX PAR. I.D. #:							
SIDEWALKS: 4' wide on both sides of the interior streets					SETBACK REQUIREMENTS							
					FY:	20'	SIDE ST.:		SY:	5'	RY:	20'
ROAD TYPE: (CURB & GUTTER OR SWALE)					MAIN STRUCTURE OTHER:							
COMMENTS OTHER:					ACCESSORY STRUCTURE SETBACKS: (To include pool & enclosure)							
1) Dedicate all areas below the 100-year flood plain as a Conservation Easement. 2) No direct access to Carillon Boulevard. 3) All roadways must be 20' wide and unobstructed. 4) A waiver was granted to allow 16' lane width for divided entrances and divided interior street with a median.					SY:	5'		RY:	10'			
					ACCESSORY STRUCTURE OTHER: Minimum D/U: 1,000 sq. ft							

	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	
	LAND USE:	
	1. ROAD-CO. WIDE	Ord.
	2. ROAD-COLL.	Ord.
	3. LIBRARY	Ord.
	4. FIRE	Ord.
	5. PARK	
	6. SCHOOL	Ord.
	7. LAW	
	8. DRAINAGE	
	TOTAL	\$2,550.00
	REMARKS: curb and gutter; sidewalks Not flood prone.	



COPY

APPL. NO. B12005-140

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

VARIANCE Side Street VARIANCE FROM 20' TO 10' FOR A FENCE

SPECIAL EXCEPTION

LIMITED USE

- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV
- PLAN TO BUILD
- YES
- NO IF SO, WHEN _____
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED _____

APPEAL FROM DECISION OF THE PLANNING MANAGER

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	Jeffery D. Brown		
ADDRESS	3310 STERLING LAKE CIR OVIDO, FL 32765		
PHONE 1	407-366-8347		
PHONE 2	407-832-4445		
E-MAIL			

RECEIVED
 AUG 31 2005
 PLANNING DIVISION

PROJECT NAME: _____

SITE ADDRESS: 3310 STERLING LAKE CIR

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: LEG LOT 4 REDBRIDGE AT CARLTON PB 47 PGS 21 THRU 23

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 35-21-31-510-0000-0040

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 10 / 24 / 05 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

[Signature] 8-30-05
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.

IS

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION	
NAME	_____
ADDRESS	_____
PHONE 1	_____
PHONE 2	_____
E-MAIL	_____

NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:
FEE(S): \$ 150 COMMISSION DISTRICT 1 FLU/ZONING PUD/PD
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS south side of Sterling Lake Cr.
at the intersection of Sterling Lake Cr. + Sterling Lake Cr.
PLANNING ADVISOR KF DATE _____
SUFFICIENCY COMMENTS _____

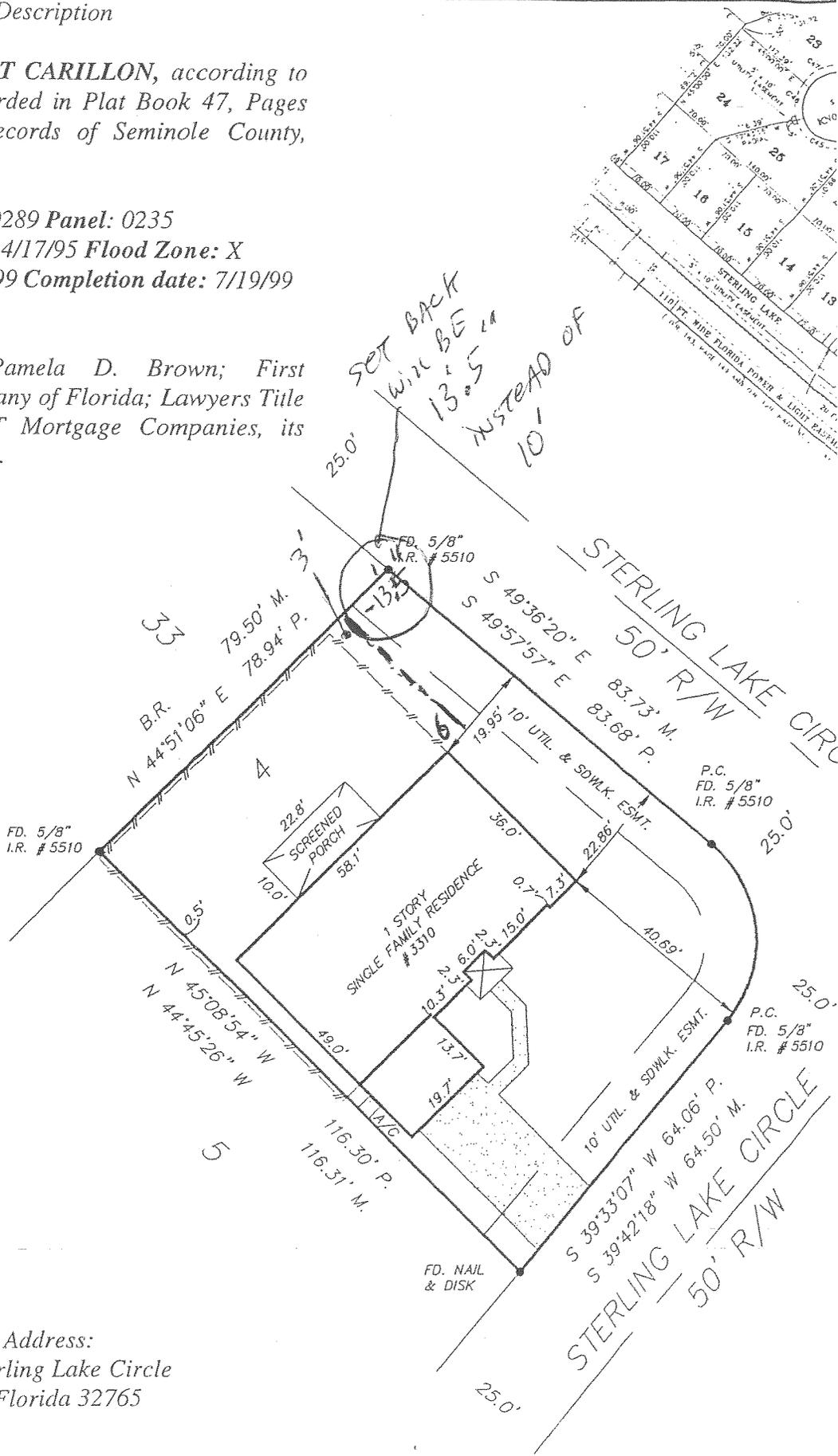
B02005-140

Legal Description

Lot 4, RED BRIDGE AT CARILLON, according to the plat thereof, as recorded in Plat Book 47, Pages 21-23, of the Public records of Seminole County, Florida.

Community number: 120289 Panel: 0235
Suffix: E F.I.R.M. Date: 4/17/95 Flood Zone: X
Date of field work: 7/19/99 Completion date: 7/19/99

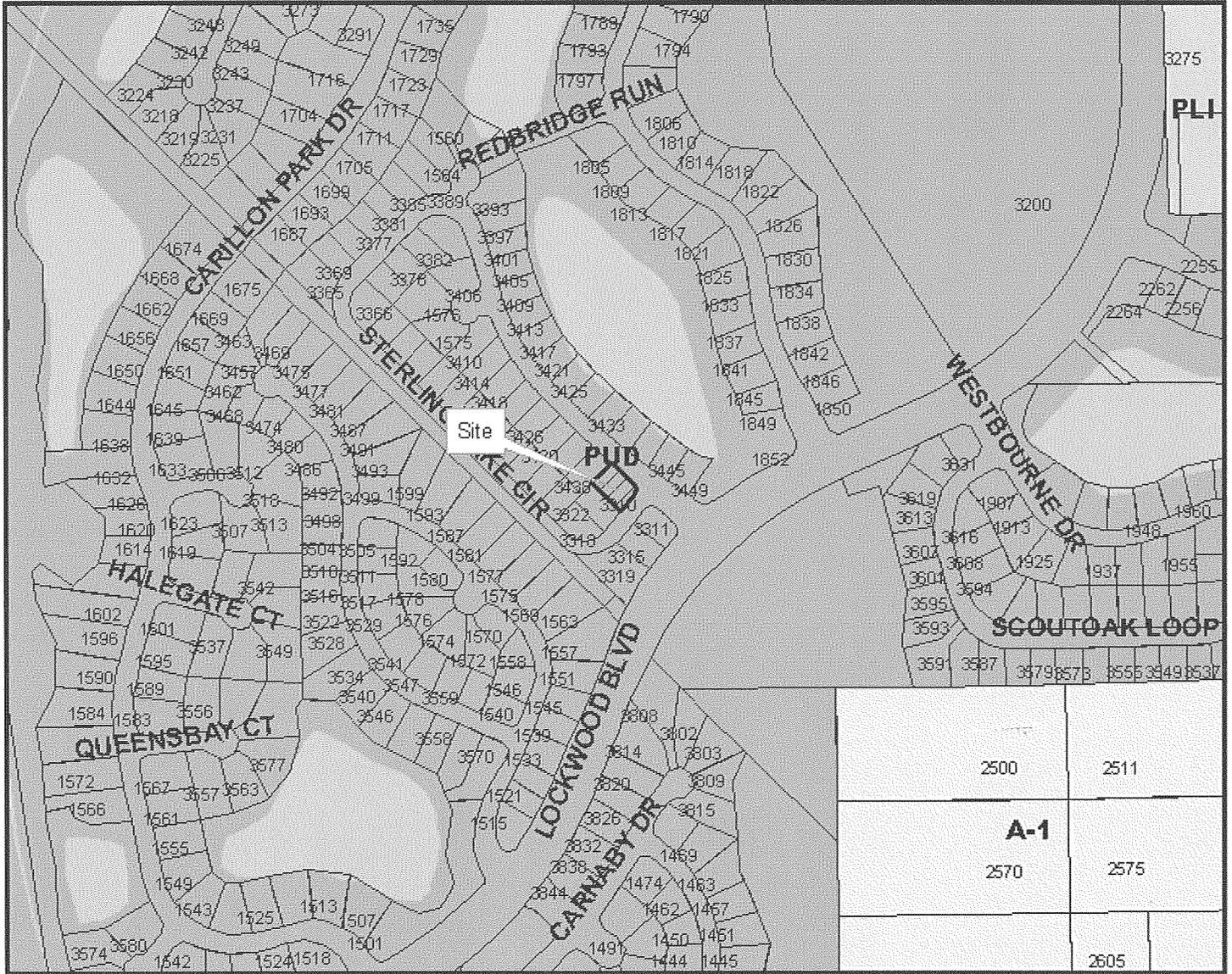
Certified to:
Jeffrey D. Brown; Pamela D. Brown; First Southwestern Title Company of Florida; Lawyers Title Insurance Company; FT Mortgage Companies, its successors and/or assigns.



Property Address:
3310 Sterling Lake Circle
Oviedo, Florida 32765

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																									
<p align="center">GENERAL</p> <p>Parcel Id: 35-21-31-510-0000-0040 Owner: BROWN JEFFERY D & PAMELA D Mailing Address: 3310 STERLING LAKE CIR City,State,ZipCode: OVIEDO FL 32765 Property Address: 3310 STERLING LAKE CIR OVIEDO 32765 Subdivision Name: REDBRIDGE AT CARILLON Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>	<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$134,116 Depreciated EXFT Value: \$1,208 Land Value (Market): \$31,500 Land Value Ag: \$0 Just/Market Value: \$166,824 Assessed Value (SOH): \$128,278 Exempt Value: \$25,000 Taxable Value: \$103,278 Tax Estimator 2005 Notice of Proposed Property Tax</p>																																								
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/1999</td> <td>03703</td> <td>0843</td> <td>\$148,500</td> <td>Improved</td> </tr> <tr> <td>CORRECTIVE DEED</td> <td>09/1998</td> <td>03503</td> <td>0653</td> <td>\$138,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1998</td> <td>03466</td> <td>0995</td> <td>\$138,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1997</td> <td>03197</td> <td>0319</td> <td>\$140,400</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	08/1999	03703	0843	\$148,500	Improved	CORRECTIVE DEED	09/1998	03503	0653	\$138,000	Improved	WARRANTY DEED	07/1998	03466	0995	\$138,000	Improved	WARRANTY DEED	02/1997	03197	0319	\$140,400	Vacant	<p align="center">2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,047 2004 Tax Bill Amount: \$1,682 Save Our Homes (SOH) Savings: \$365 2004 Taxable Value: \$99,542 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>										
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																									

Jeffery D. Brown
 3310 Serling Lake Circle
 Oviedo, FL 32765

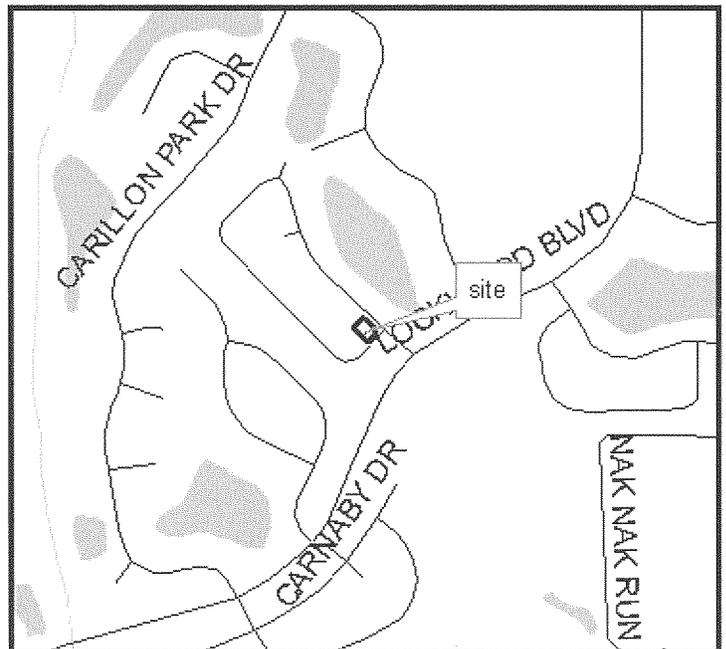
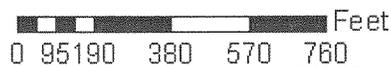
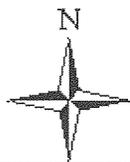


2500	2511
A-1	
2570	2575
	2605

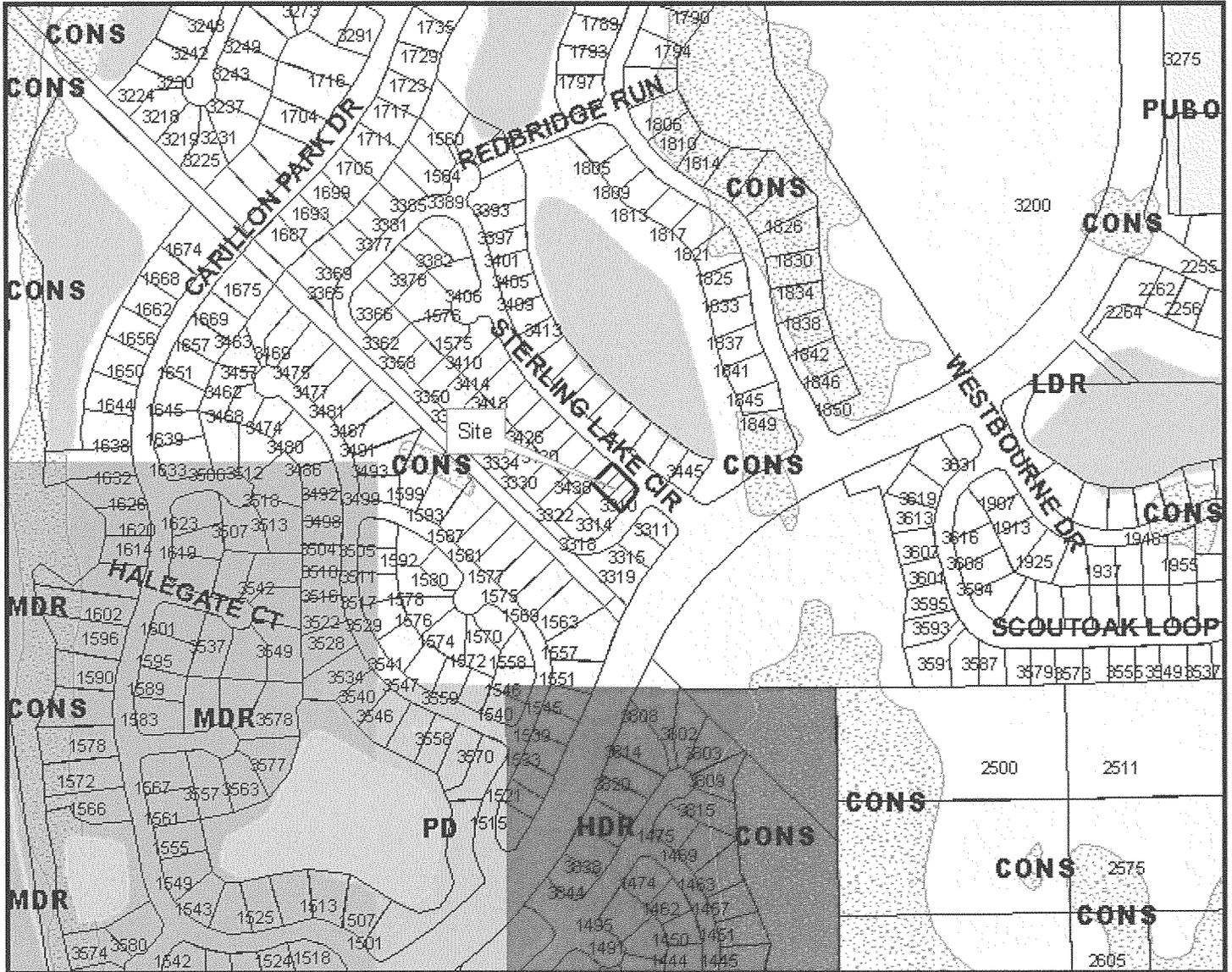
Seminole County Board of Adjustment
 October 24, 2005
 Case: BV2005-140
 Parcel No: 35-21-31-510-0000-0040

Zoning

-  A-1 Agricultural-1Ac
-  PUD Planned Unit Dev.
-  PLI Public Land & Institutions
-  BV2005-140



Jeffery D. Brown
 3310 Serling Lake Circle
 Oviedo, FL 32765

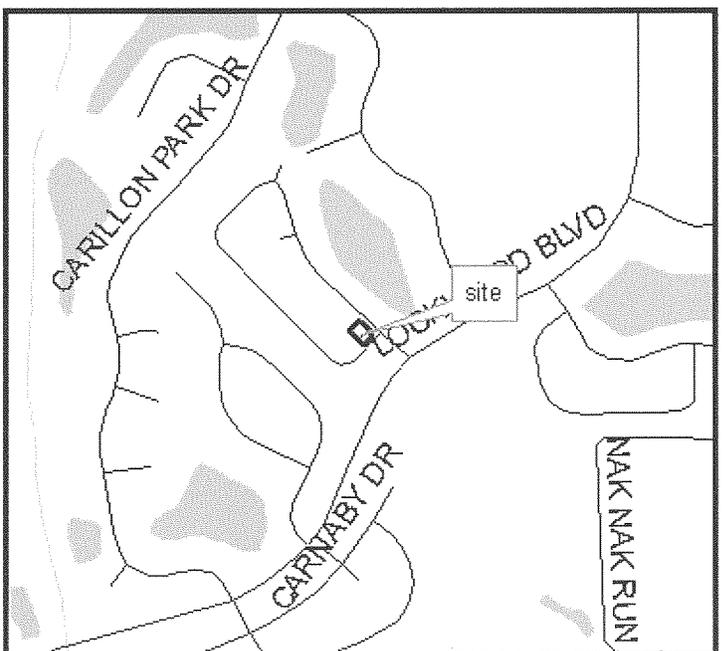


Seminole County Board of Adjustment
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Future Land Use

	CONS, LDR		MDR, NONE
	CONS, MDR		HDR, NONE
	CONS, HDR		PD, NONE
	PUBO, NONE		BV2005-140
	LDR, NONE		

0 95190 380 570 760 Feet



10/06/2005 11:28:02 AM



Marcia Haeffner /Seminole
10/06/2005 10:53 AM

To Kathy Fall/Seminole@Seminole
cc Steven Douglas/Seminole@Seminole
bcc
Subject 3310 Sterling Lake Circle

Kathy

We currently see no problem as it relates to traffic safety in reducing the side yard setback at the above referenced address to 13'5". However we are unable to approve anything less than 15'.

Marcia

Marcia Haeffner, Sr. Coordinator
Seminole County Traffic Engineering
140 Bush Loop
Sanford, Florida 32773
Phone: 407-665-5682
Fax: 407-665-5623
email: mhaeffner@seminolecountyfl.gov

--****Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. Seminole County policy does not differentiate between personal and business emails. E-mail sent on the County system will be considered public and will only be withheld from disclosure if deemed confidential pursuant to State Law.****

Carillon Com. Res. Association
1950 Lee Road, Suite 212
Winter Park FL 32789
407-645-4945

NOTICE OF APPROVAL
Carillon Com. Res. Association

August 10, 2005

Jeffery & Pamela Brown
3310 Sterling Lake Circle
Oviedo FL 32765

RE: 3310 Sterling Lake Circle

Dear Owner:

Your Request for Architectural Change as been approved. Specifically, you have approval to proceed with the following:

ARB request to replace and extend out 6' and down 12' board on board fence. Extend existing screened porch by 10' x 18', add an in-ground pool - 15' x 30', & add a screen enclosure over the pool area 25' x 40'. Plant ligustrums along outside of fence facing street.

Approved as requested.

We reserve the right to make a final inspection of the change to make sure it matches the Request you submitted for Approval. Please follow the plan you submitted or submit an additional Request form if you cannot follow the original plan.

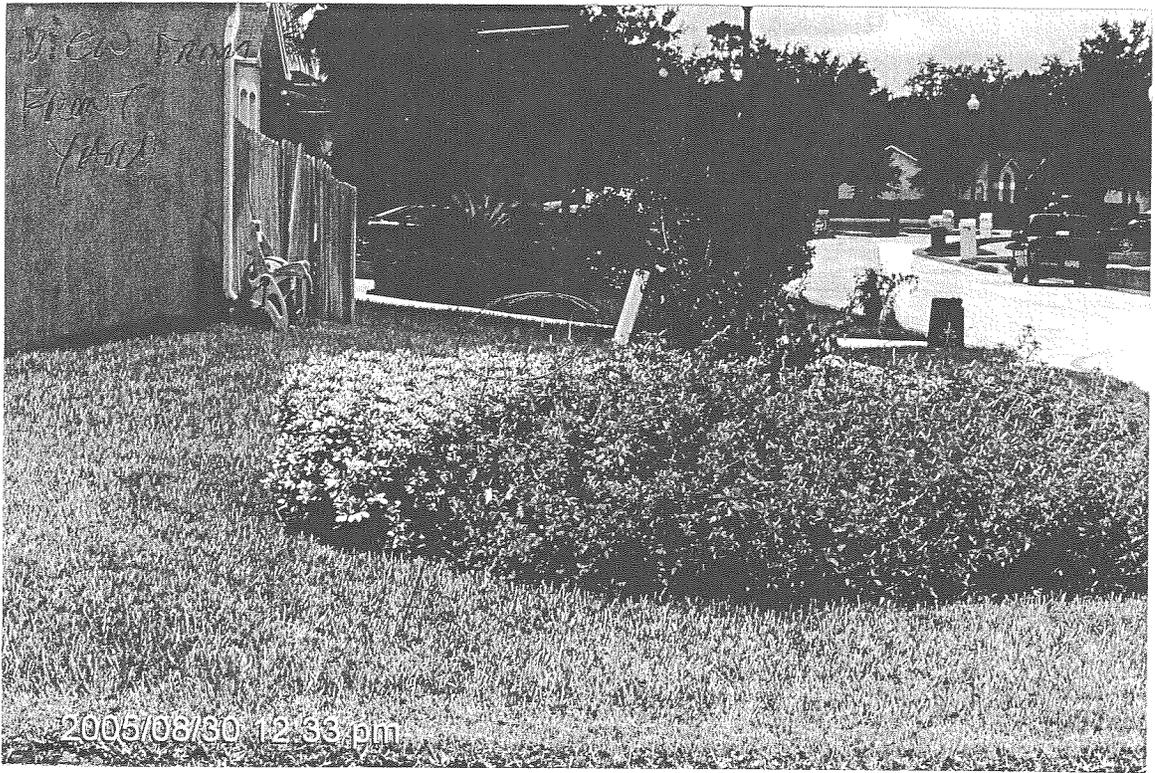
You must follow all local building codes and setback requirements when making this change. A Building Permit may be needed. This can be applied for at the County offices.

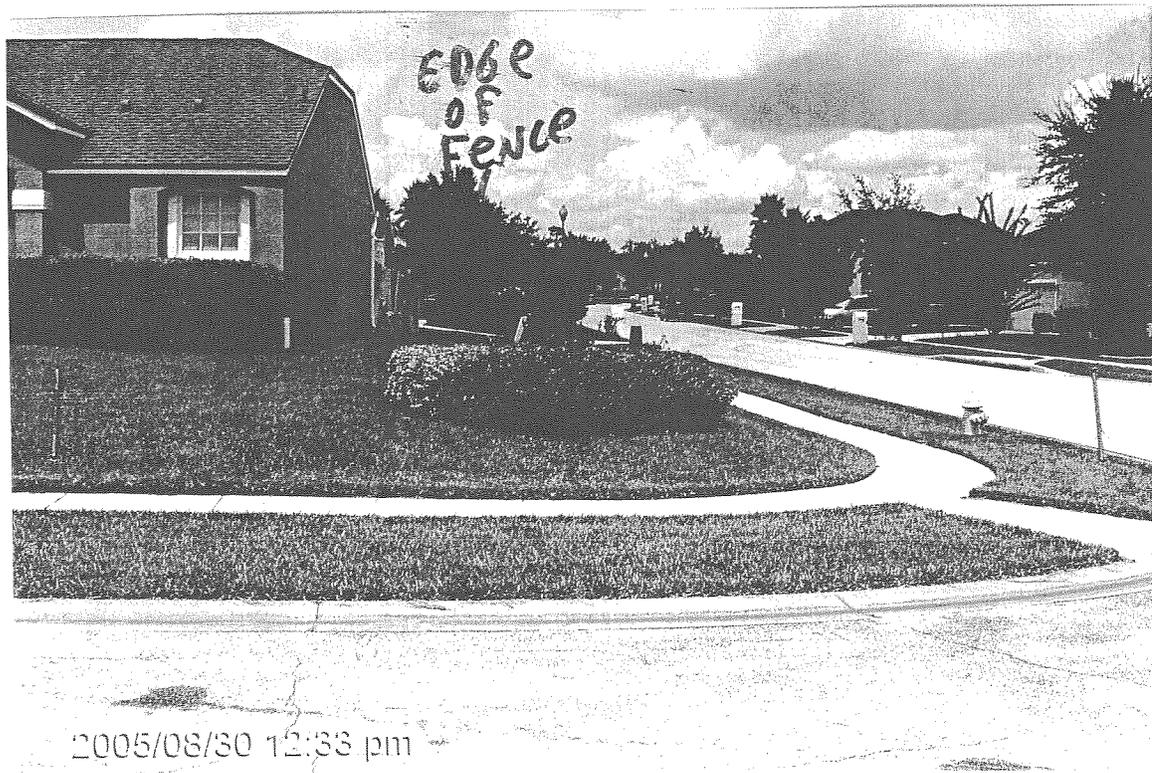
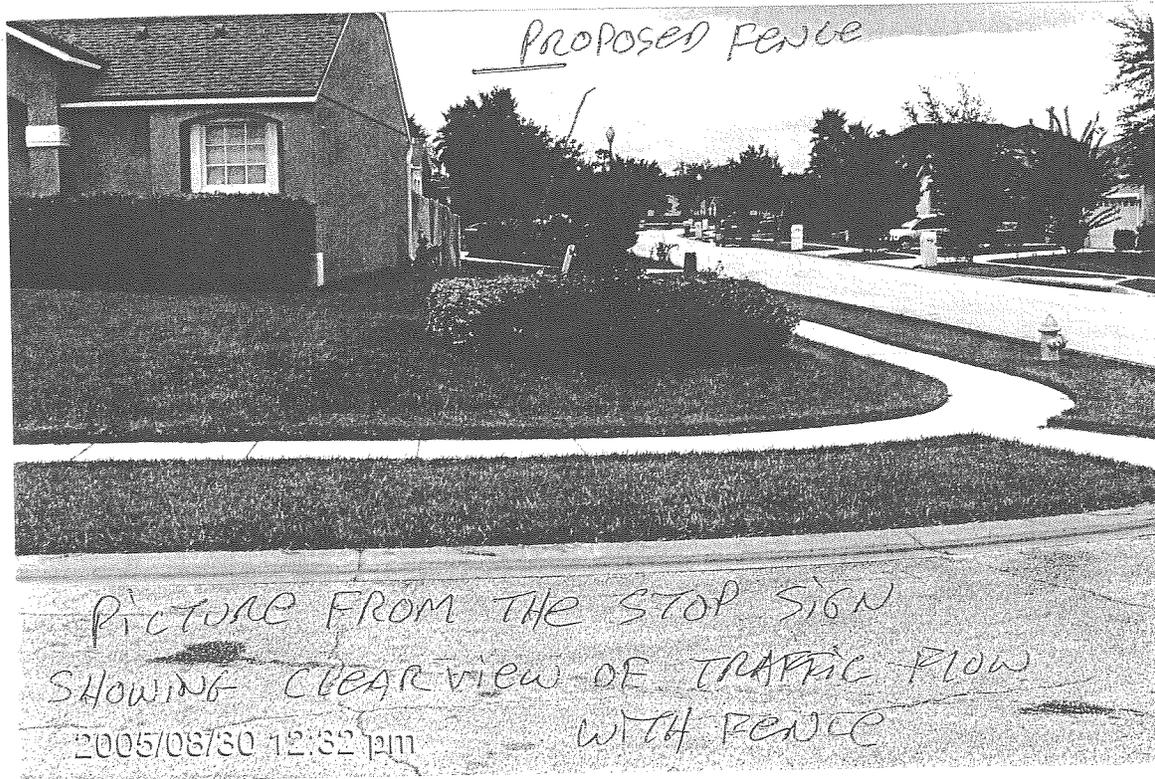
Our approval here is only based on the aesthetics of your proposed change. This approval should not be taken as any certification as to the construction worthiness or or structural integrity of the change you propose. Be aware that you are responsible for contacting the appropriate Utility Companies before digging.

We appreciate your cooperation in submitting this Request for Approval. An attractive Community helps all of us get the full value from our homes when we decide to sell.

Sincerely,

Carillon Com. Res. Association





FROM THE STOP BAR AT THE INTERSECTION
TRAFFIC VIEW WILL NOT BE AFFECTED BY THE NEW
FENCE.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 4 REDBRIDGE AT CARILLON PB 47 PGS 21 THRU 23

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Jeffery Brown
3310 Sterling Lake Cir.
Oviedo, FL 32765

Project Name: Sterling Lake Circle (3310)

Requested Development Approval:

Request for side street setback variance from 20 feet to 13.5 feet for a proposed fence in the PUD (Planned Unit Development District)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Ian Sikonia, Planner
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The variance granted will apply only to the proposed fence as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____

Tony Walter
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: